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BREWERS BELIEVE WAVE IS RECEDING

They Declare That Prohibition Is on the Wane.

"REGULATION" IS THEIR SOLUTION

Point to States Where "Dry" Laws Have Failed to Check Selling of Liquor—President Hoster Addresses Annual Convention of Brewers in Washington.

Washington, D. C., June 8.—Prohibition laws in this country have failed to prohibit, and hope for real temperance lies in the proper regulation of the liquor trade, according to statements made at the opening session of the annual convention of the United States Brewers' Association at the New Willard Hotel to-day.

The brewers were supported in these contentions by Representative Henry S. Bontell, of Illinois, who addressed the convention.

President Hoster Opens Convention. Predicting the time when the brewer will be found working with the real and practical reformers in the interest of true temperance, President Carl F. Hoster opened the convention.

President Hoster declared that, far from apologizing for being a brewer, he recognized in every one a logical promoter of true temperance. He urged a speedy return to license of those States which had adopted prohibition or local option.

"The pendulum is slowly but surely swinging the other way," declared President Hoster. "It is becoming more clearly and generally recognized that the license system, which simply spelt regulation, can be made to bring about better results than anything else that has been tried."

Bacchanals of Insects. The prohibitionist is up against a hopeless fight in the natural law of fermentation. The board of trustees believes. To quote the report made to the convention:

"The whole vegetable world is in a conspiracy against the prohibitionist. The bees become intoxicated with the distillation of the honeysuckle; the wasps grow dizzy in the drowsy clover patch, and even the ants wobble in their walk after they have feasted upon the over-ripe fruit of the corn. The wine has started a natural fermentation."

While the prohibition movement has been at high tide, the sale of beer has increased 30,000,000 gallons, and the sale of spirits has increased 11,000,000 gallons, says the report. In these 30,000,000 gallons of beer were nearly 4,000,000 gallons of pure alcohol.

More Drink, Less Drunkenness. "And all the increases in the volume of the brewing industry have been made in the face of that fact that 42,000,000 inhabitants of the United States are said to live in dry territory. In these gains the brewers see signs of hope that the prohibition movement has touched the highest spot, and is now on the wane."

"One cannot study the drink question without being puzzled by its paradoxes," says the executive committee's report. "It is an unquestioned fact that the people of the United States are steadily becoming more temperate, and yet the consumption of alcohol increases just as steadily as the growth of the population. Not only is the consumption of the sale of alcoholic beverages becoming larger, but the per capita consumption is increasing."

"What does this mean? Does it not indicate that while some men are coming into the common use of the word, they are learning to use them more intelligently? The old idea that total abstinence is the only road to safety is being replaced by the new idea of moderation, both in eating and in drinking, by a self-control."

Strong Argument of Prohibition Receding. The vigilance committee believes that the year just ended marked the height and the beginning of the recession of the wave of prohibition, and so reported.

Alabama's repudiation of a prohibition amendment to the State's Constitution the brewers see great hope of the license principle being applied in territories now totally dry. The committee believes with satisfaction that the States which have swung out of the dry column.

A resume of conditions through the States, presented to the convention by the committee, charges in effect that prohibition in many States prohibited nothing.

A strong argument for the restoration of the army content was made in the report of its publication committee. "Public opinion is interpreted by the press of the country and expressed in many recent elections," the report said. "In spite of the tremendous forces of wealth, power and fanaticism arrayed in its support, prohibition has not the standing before the American people which it had a short year ago."

Would Restore Canteens. The restoration of the army content, the committee declared, was demanded louder than ever, not alone by the most intelligent organs of public opinion, but by army officers who had witnessed the results of its suppression.

"Apparently this swelling protest falls on deaf ears so far as Congress is concerned," the report said. "The threat of political retaliation continues to be more potent than the bidding of manifest duty."

The last report of the Secretary of War is quoted as saying that abolition of beer halls had not made any difference in the religious observances among the veterans. Basing its statement upon the Secretary of War's report, the committee declared to the convention that in 1909 there were 12 per cent more trials for drunkenness in the soldiers' homes than in 1908, when beer halls prevailed.

Care of Workmen Advocated. The report of the labor committee (Continued on Second Page)

ATTACK ON SITZER

Government Witness Bitterly Assailed in Sugar Frauds Trials.

New York, June 8.—With all the evidence in the government summed up to-day in its prosecution of Charles R. Helke, secretary of the American Sugar Refining Company, Ernest W. Gerbracht, superintendent of the Williamsburg docks of the company, and James P. Bendernagel, former cashier of the company, all of whom are charged with complicity in the weighing frauds, uncovered by Special Agent Richard Parr. When court adjourned for the day, Bendernagel's defense had been heard, but there remained for to-morrow arguments for Gerbracht and Helke.

The case is expected to go to the jury to-morrow. The defense, although admitting that frauds had been committed on the Williamsburg docks, denied that any evidence had been adduced to connect these frauds with the defendants, whereas the government contended that it was not within human probability that alleged frauds of such dimensions could have escaped the attention of men higher in authority than the convicted weighers who manipulated the scales.

The testimony of Oliver Sitzer, who dramatically appeared in court as a chief witness for the government, after he had been pardoned from the Federal prison at Atlanta by President Taft, was bitterly assailed by Clarence Lexow, counsel for Gerbracht.

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HOPE TO PREVENT ERA OF DISASTER

Members of Railway Business Association Issue an Appeal.

AN EARNEST PLEA TO ALL AFFECTED

Ask Congress to Make Sufficient Appropriation for Work, Railways to Have Data in Shape for Hearing, and People to View Case Dispassionately.

New York, June 8.—The general executive committee of the Railway Business Association, which within its membership represents \$800,000,000 of invested capital, which speaks for a group of industries giving employment to 1,500,000 working men, and upon which 6,000,000 people depend for support, met here to-day, and at the close of its session gave out a statement in chief as follows, addressed to Congress, to the railways, to the shippers and to the public:

"The question of whether the railroads are entitled to a general advance in freight rates is now before the public. The merits of individual rates will come before the Interstate Commerce Commission. During the period of uncertainty as to whether rates are reasonable or otherwise, there will be a disturbance of industrial conditions. It is therefore of the greatest importance that the way shall be cleared for the speediest possible decision by the commission. To that end, the Railway Business Association appeals:

"1. To Congress: That the President of the United States, having recommended a provision governing the power of the Interstate Commerce Commission over freight rate changes, such provision be enacted forthwith to go in effect on its passage. By this recommendation of the President the powers and duties of the Interstate Commerce Commission are to be greatly enlarged, and in the present emergency it is deemed that the approval of hundreds of thousands of freight rates must be given by the commission before effectuation. It is deemed proper, therefore, to urge that rigorous action be given to the President upon which an immense demand for increased output is to be made. Nothing could be more disastrous to the railroads and all the commerce and industry of our country than that the commission be given the power to make such a decision without the aid of the public. We urge that such appropriation as may be found necessary be made to enable the commission to cope with their increased duties."

"2. To the railways: That they facilitate the work of the commission by having their schedules so arranged and the reasons therefor so clearly set forth as to require the least possible time to comprehend and accept and bearing in mind the officials of the railways acquaint the shippers more fully with the reasons for freight advances."

"3. To the shippers: That they look upon the railways precisely as they would look upon any other concern, whose solvency and management, and whose efficiency, is responsible. A going concern must have a growing revenue. The problem involves not merely the amount which the railway shall receive for carrying a consignment, but its ability to carry it at all. The railway is the life of the transportation, and its general prosperity. We suggest to the heads of freight-paying enterprises that they study this question at first hand in the broadest way. By so doing they may conclude that an advance may be for their own best interests."

"4. To the public: That they frankly concede to the railroads the necessity for adequate revenue and await with patience and good nature the findings of the commission as to the reasonableness of proposed rates."

"The members of the Railway Business Association have but recently emerged from a period of closed shops, the idle men and disastrous losses due to cessation of the railway purchases. We contemplate with grave anxiety the possibility of undue restriction of the railway revenues. Ours is the plea of a special interest whose prosperity we would purchase at the expense of other interests or of the general public. If our product is not bought, the commerce of the country cannot be efficiently carried. If our men are wholly or partly off the pay roll, the stoppage of their outlays communicates itself to millions more who make or sell them necessities."

"As the basis of our belief in the necessity of increased revenues for the railroads, we submit:

"Either the railroads stand alone among all other business enterprises in their ability to meet universal increases in cost of labor and material without advancing the price of what they have to sell, or else an advance in rates is necessary."

"In opening his address, which, in a great measure had to do with Insurgents, the Vice-President said:

"We want leaders, but we don't want self-constituted leaders."

"Denunciation of the Insurgents and commendation of the Republican national administration, was the trend of a number of speeches."

"The real work of the convention, that of formulating a platform, will not be reached until to-morrow. The matter of naming candidates for a State ticket probably will be left for the primary election in September."

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FIXES INSURANCE RATES IN STATE

Admission of Officers of Southeastern Tariff Association.

TRIAL BEGINS IN NEWPORT NEWS

Commonwealth Contends That Combination Is Unlawful—If This Is Sustained, Association Will Be Put Out of Business—Both Sides Fighting Vigorously.

[Special to The Times-Dispatch.] Newport News, Va., June 8.—Police Justice J. D. G. Brown to-day began hearing the cases against twenty-three officers and members of the Southeastern Underwriters' Association, who were arrested at Hot Springs May 12 on warrants charging them with unlawfully conspiring to fix and control fire insurance rates in Newport News. Twelve of the defendants appeared in person, but it was decided to proceed with the trial of all twenty-three cases at one time. Only three witnesses were examined to-day, and the indications are that the trial will last a week.

Both sides are fighting vigorously, realizing that a big question is involved. The Commonwealth's contention is that the action of the insurance companies in fixing rates is unlawful, and that the rates are fixed by the Underwriters' Association, which fixes and controls rates is unlawful, and if this contention is sustained by the courts the Southeastern Underwriters' Association will be put out of business in Virginia.

After commencing this morning, the Commonwealth established the fact that the Underwriters' Association fixes and controls the rates of all the companies composing its membership, and that practically all of the companies not affiliated with the association, do business under its rates.

Newport News has been increased 10 per cent, because of the increased licensed tax imposed upon the companies by the City Council.

In the event the court sustains the contention of the Commonwealth that the mere existence of a combination to fix and control rates is unlawful, regardless of whether the rates are unfair or oppressive, the Commonwealth now only has to prove the connection of the defendants with the Underwriters' Association to make out its case. However, if this contention is not sustained, a mass of evidence will be heard to show whether or not the existing rates are oppressive, and whether the actions of the association in retaliating against the Council was malicious.

First Argument To-Day. The Commonwealth's Attorney C. C. Berkeley is being assisted in the prosecution by R. M. Lett and W. C. Sturges. The defense is being handled by J. Winston Reed and O. D. Batchelor are representing the defendants.

When the case was called in the Police Court this morning twelve of the defendants answered to their names. The Commonwealth's Attorney C. C. Berkeley is being assisted in the prosecution by R. M. Lett and W. C. Sturges. The defense is being handled by J. Winston Reed and O. D. Batchelor are representing the defendants.

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ASKED THAT PLEDGE OF PARTY BE KEPT

Taft Insists on Change in Railroad Bill.

SURE TO MEET OPPOSITION

President Wants House Provision for Supervision of Issuance of Stocks and Bonds Incorporated Into Measure—Railroads Will Fight It to the Last.

Washington, D. C., June 8.—Several exchanges of views between Senators Elkins and Aldrich and Representative Mann, of Illinois, preparatory to a formal conference on the administration bill, were had to-day. It was generally understood that the conference would meet to-morrow, although no call for such a meeting was issued.

Senators Aldrich and Crane visited the White House to-night and talked with the President concerning changes which he might desire in the Senate bill, which practically was approved by him in his message to Congress yesterday.

The President indicated that there were two changes he would like to see made in the bill in addition to the elimination of the sixty-day clause in the paragraph giving the Interstate Commerce Commission the right to investigate and suspend new rates.

Mr. Taft is anxious that the House provision for a supervision of the issuance of stocks and bonds by the Interstate Commerce Commission be accepted by the Senate. He regards this feature of the bill as one of the pledges of the party, and he does not agree with the position of many of the Senators that such a provision should be carried as interfering with States' rights.

The President believes that the ten months allowed the Interstate Commerce Commission in which to investigate rates before acting on them is entirely too long a period. The President's experience with the law was that it would take a specified length of time is allowed a tribunal, it generally is avoided. The House bill allows 120 days.

Railroads Will Fight It. President Taft thinks six months would be a better period. Whenever the railroads have will be used to secure the shorter period. As to the supervision of the issuance of stocks and bonds, however, the railroads will vigorously oppose the putting of any such provision in the bill.

President Taft told both Senators Elkins and Aldrich to-day that he was anxious that the conference should proceed as rapidly as possible, and that there should be a satisfactory bill.

The general understanding is that the Senate and House leaders will get together on the subject matter to be taken from the two bills before action is taken formally by the conferees. If this course is pursued, it is likely that the only question which would be voted upon in the two houses would be for the adoption or the rejection of the conference report.

Insurgent members of both the Senate and House fear to have the subject come before them in that manner as they think it would give too great an opportunity for the elimination of the progress of the bill. Incorporated in the Senate bill, however, is an alliance between Democrats and Insurgents. At an informal conference of Insurgent Senators to-day, they pledged themselves to fight against the addition of a conference report which took away any of the advantages which they claimed to have forced into the bill in the interests of the shippers.

Denounces "Pork Barrel." Washington, D. C., June 8.—Characterizing the river and harbor bill as a "pork barrel," Senators Burton, of Ohio, and Newlands, of Nevada, to-day severely criticized the conference report on that measure, which was introduced in the Senate by Senator Nelson.

Mr. Newlands expressed the hope that the President would veto the bill because, he said, it did not provide for sufficient expert work nor for the system of cooperation which he thinks should prevail in the improvement of waterways.

Senator Burton devoted special attention to the agreement to terminate the existence of the national waterways commission on March 4, next, and to the retention of the provision in the interest of the lakes-to-the-gulf deep waterways project.

The charge of "pork barreling" was made by Mr. Burton in connection with the assertion that there had been an effort by the framers of the bill to have it cover as much of the country as possible. Of the 391 congressional districts, he said that 296 were represented by the bill, making a most favorable geographical distribution. To this desire to aid Congressmen in promoting their chances of re-election, he attributed the circumstances that of the 174 new projects provided for in the bill, only half could be completed within the time appropriated.

Violates Its Own Rule. Calling attention to the fact that the House conferees had insisted upon leaving out all the projects inserted by the Senate, which did not have the approval of the board of engineers, he declared that in retaining the appropriation for the deep waterways project the House members had violated their own rules, and at the same time had entered upon a scheme which would cost much more than all of the others. He declared that the big project would cost hundreds of millions of dollars before being completed.

Senator Nelson said that the conferees had shaved the Senate bill to the extent of \$700,000, leaving a total of \$51,947,000. He said that of the 203 amendments inserted by the Senate, all but nineteen had been retained in some form. Consideration of the river and harbor report had not been concluded when the Senate adjourned.

COMMANDER PEARY SUE

Rudolph Franke Makes Grave Charge Against Explorer.

Berlin, June 8.—Rudolph Franke, who was associated with Dr. Fridtjof N. Cook in Arctic explorations, has brought suit against Commander Robert E. Peary in the sum of \$10,000. This amount is estimated at half the value of furs and walrus and narwhal teeth which Franke bought from natives in the Arctic region. The suit was filed with Dr. Cook that they should share them half and half.

According to the statement, Commander Peary found him seriously ill at Etah, owing to a fall off a glacier, and took advantage of this circumstance to buy the furs and teeth at a price for transportation to America. Franke claims that he was not aware of this, but by compulsion, and says that he paid Peary a part of the collection to present to ex-President Roosevelt. The papers in the suit were served on Commander Peary at a hotel this evening. He refused to take them when they were handed to him by a deputy, and the officer then and there on a table in the presence of a witness, calling the commander's attention to the fact that this was a legal service.

Earlier in the day, when the report of a court action against Commander Peary was being noted about the city, the commander sought out the American ambassador, David Jayne Hill, and submitted the case to him. He declared later that he left the matter in the ambassador's hands, and had washed his hands of the whole affair. He was not to be interviewed with reference to the suit.

Commander Peary gave a lecture to-night to the students of the University of London. He will leave for London to-morrow.

UNIQUE STEPS TAKEN

Test Case Will Be Made of Prosecutors' Right of Search.

Trenton, N. J., June 8.—Franklin W. Fort, the son of Governor Fort, and counsel for Miss Virginia Wardlaw, one of the women who are now in trial for murder on the charge of having been responsible for the death of Dr. W. S. Snead, known as the "United States Circuit Court here, asking for an injunction to restrain the search of the Wardlaw and Snead houses of papers and other evidence against Miss Wardlaw any property which may have been obtained by them by illegal search of the house of the United States Circuit Court here, asking for an injunction to restrain the search of the Wardlaw and Snead houses of papers and other evidence against Miss Wardlaw any property which may have been obtained by them by illegal search of the house of the United States Circuit Court here, asking for an injunction to restrain the search of the Wardlaw and Snead houses of papers and other evidence against Miss Wardlaw any property which may have been obtained by them by illegal search of the house of the United States Circuit Court here, asking for an injunction to restrain the search of the Wardlaw and Snead houses of papers and other evidence against Miss Wardlaw any property which may have been obtained by them by 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